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[Additional Counsel on Signature Page]

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

CHERYL BARRER and WALTER BARRER,
on Behalf of Themselves and Those Similarly
Situated,

Plaintiffs,

v.

CHASE BANK USA, N.A. and DOES 1
through and including 100,

Defendants.

CASE NO. 06-CV-415-HA

CLASS ACTION

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION TO COMPEL
SUPPLEMENTAL PRODUCTION OF
DOCUMENTS**

ORAL ARGUMENT REQUESTED

**PLTFS' NOT OF MOT TO COMPEL SUPP
PRODUCTION OF DOCUMENTS**

Plaintiffs Cheryl and Walter Barrer (“Plaintiffs”) hereby move for an order compelling Defendant Chase Bank USA, N.A. (“Chase”) to supplement its document production. This Motion is made pursuant to Rules 26 and 37 of the Federal Rules of Civil Procedure, as well as Local Rule 26-3. Pursuant to Local Rule 7-1, the parties made numerous attempts to resolve these issues through telephone conference and subsequent correspondence, but have been able to do so.¹

This Motion is supported by the accompanying Memorandum of Points and Authorities, Declaration of Matthew J. Zevin in Support of Plaintiffs’ Motion to Compel Supplemental Answers to Interrogatories and Plaintiffs’ Motion to Compel Supplemental Production of Documents, any exhibits or attachments thereto, the pleadings in this case, and any oral argument as may be permitted by the Court.

DATED: January 13, 2012

STANLEY • IOLA, LLP
MATTHEW J. ZEVIN (*admitted pro hac vice*)

/s/ Matthew J. Zevin

MATTHEW J. ZEVIN

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¹ This Motion is filed concurrently with a separate motion to compel supplemental answers to interrogatories.

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Walter Barrer

PROOF OF SERVICE
Cheryl Barrer, et al. vs. Chase Bank USA, NA, et al.

CASE NO.: 06-CV-415-HA

I, the undersigned, declare under penalty of perjury that I am over the age of eighteen years and not a party to this action. I am employed in the County of San Diego, State of California. My business address is: 550 West C Street, Suite 1600, San Diego, CA 92101.

That on January 13, 2012, I served the following document(s) entitled: **PLAINTIFFS' NOTICE OF MOTION AND MOTION TO COMPEL SUPPLEMENTAL PRODUCTION OF DOCUMENTS** on ALL INTERESTED PARTIES in this action:

SEE ATTACHED SERVICE LIST

- ☐ **BY MAIL:** By placing a true copy thereof in a sealed envelope addressed as above, and placing it for collection and mailing following ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence, pleadings, and other matters for mailing with the United States Postal Service. The correspondence, pleadings and other matters are deposited with the United States Postal Service with postage thereon fully prepaid in San Diego, California, on the same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **BY OVERNIGHT COURIER:** I caused the above-referenced document(s) to be contained in an overnight envelope and to be deposited in a **Federal Express/Overnite Express** box located at 550 West C Street, San Diego, California, for delivery to the above address(es).
- ☐ **BY FAX:** I transmitted a copy of the foregoing document(s) this date via telecopier to the facsimile numbers shown on the attached service list. The facsimile machine I used reported no error and I caused the machine to print a transmission record of the transmission.
- ☒ **BY CM/ECF ELECTRONIC SERVICE:** I caused such document to be served via the Court's (NEF) electronic filing system on all registered parties.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 13, 2012, at San Diego, California.

/s/ Matthew J. Zevin
MATTHEW J. ZEVIN

**PLTFS' NOT OF MOT TO COMPEL SUPP
PRODUCTION OF DOCUMENTS**